

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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ANNA STANCZYK,

Plaintiff,

**11 CV 0249 (FB)(RER)**

-against-

THE CITY OF NEW YORK, P.O. RICHARD  
DeMARTINO, Shield No. 12739, P.O. SHAUN  
GROSSWEILER, “JOHN DOE” #1-10, (the names  
“John Doe” being fictitious, as the true names are presently  
unknown), individually and in their official capacities,

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**PLAINTIFF’S PROPOSED VERDICT SHEET**

TO BE RETURNED AT THE END OF DELIBERATIONS.

Jon L. Norinsberg, Esq.  
225 Broadway, Suite 2700  
New York, New York 10007  
*Attorneys for Plaintiff*

**Answer the following questions in order of number. Begin with Question 1. Do not write anything on this form except as indicated by the instructions.**

Considering the elements in the Court's instructions with regard to liability, and weighing all of the evidence on the trial record from the parties' respective presentations, the jury answers the questions below as follows:

**PART I. LIABILITY**

**A. False Arrest**

Did defendants POLICE OFFICER DeMARTINO and POLICE OFFICER GROSSWEILER prove, by a preponderance of evidence, that they had probable cause to arrest plaintiff ANNA STANCZYK on November 26, 2010?

YES \_\_\_\_\_ NO \_\_\_\_\_

**B. Excessive force**

Did plaintiff prove, by a preponderance of evidence, that defendant POLICE OFFICER GROSSWEILER used excessive force against plaintiff ANNA STANCZYK on November 26, 2010?

YES \_\_\_\_\_ NO \_\_\_\_\_

Did plaintiff prove, by a preponderance of evidence, that defendant POLICE OFFICER DeMARTINO used excessive force against plaintiff ANNA STANCZYK on November 26, 2010?

YES \_\_\_\_\_ NO \_\_\_\_\_

**D. State Law - Assault**

Did defendants POLICE OFFICER DeMARTINO and POLICE OFFICER GROSSWEILER intentionally place plaintiff ANNA STANCZYK in apprehension of imminent harmful or offensive contact on November 26, 2010?

YES \_\_\_\_\_ NO \_\_\_\_\_

**E. State Law - Battery**

Did defendants POLICE OFFICER DeMARTINO and POLICE OFFICER GROSSWEILER intentionally touch or strike plaintiff ANNA STANCZYK, in a harmful or offensive manner, without her consent on November 26, 2010?

YES\_\_\_\_\_ NO\_\_\_\_\_

**Instruction: If you answered “Yes” to either A, B, C, D, or E, please proceed to the next question. If you answered “No” to all questions, please report your verdict to the Court.**

**If you answered “Yes” to Part I, please proceed to answer the questions in Part II.**

**PART II. DAMAGES**

**A. Compensatory Damages**

Did plaintiff prove by a preponderance of the evidence that she is entitled to compensatory damages as a result of defendants’ conduct during plaintiff’s arrest on November 26, 2010?

YES\_\_\_\_\_ NO\_\_\_\_\_

**Please answer this question only if you found that plaintiff is entitled to compensatory damages (meaning you answered “YES” to Part I Questions A, B, C, D and/or E). If you find that plaintiff is not entitled to a type of compensatory damage listed below, write the word “none” in the space provided for that type of damage.**

State the total dollar amount of any compensatory damages that plaintiff is entitled to recover for:

a. Past Pain and Suffering

\$\_\_\_\_\_

b. Future Pain and Suffering

\$\_\_\_\_\_

c. Future Medical Expenses

\$\_\_\_\_\_

Total Compensatory Damages (Please add the amounts, if any, stated in sub-sections (a) through (c).)

\$\_\_\_\_\_

**B. Punitive Damages**

1. Considering the Court's instructions with regard to punitive damages, do you find that punitive damages are warranted against defendant POLICE OFFICER GROSSWEILER to serve the purposes of such damages as explained by the Court?

Yes\_\_\_\_\_ No\_\_\_\_\_

**If you answer "Yes", please state the amount of punitive damages that should be awarded against POLICE OFFICER GROSSWEILER in this action.**

\$\_\_\_\_\_.

2. Considering the Court's instructions with regard to punitive damages, do you find that punitive damages are warranted against defendant POLICE OFFICER DeMARTINO to serve the purposes of such damages as explained by the Court?

Yes\_\_\_\_\_ No\_\_\_\_\_

**If you answer "Yes", please state the amount of punitive damages that should be awarded against POLICE OFFICER DeMARTINO in this action.**

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Foreperson's Name (Print)

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Foreperson's Signature

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Date